

## **IC 20-28-6**

### **Chapter 6. Contracts**

#### **IC 20-28-6-1**

##### **Preemployment consideration; qualifications**

Sec. 1. (a) Not later than ten (10) days after a request from the governing body, the superintendent of a school corporation shall make a report on an individual being considered by the school corporation for either a teaching appointment or an indefinite contract as described in section 8 of this chapter. The report must contain information on the individual's teaching preparation, experience, and license.

(b) The governing body of a school corporation may not employ an individual who receives an initial standard or reciprocal license after March 31, 1988, for a teaching appointment under this chapter unless the individual:

- (1) has successfully completed a beginning teacher internship program, under IC 20-6.1-8 (repealed); or
- (2) has at least two (2) years teaching experience outside Indiana.

(c) This section does not prevent the granting of additional authority in the selection or employment of teachers to a superintendent of a school corporation by the rules of the school corporation.

*As added by P.L.1-2005, SEC.12.*

#### **IC 20-28-6-2**

##### **Basic contract requirements**

Sec. 2. (a) A contract entered into by a teacher and a school corporation must:

- (1) be in writing;
- (2) be signed by both parties; and
- (3) contain the:
  - (A) beginning date of the school term as determined annually by the school corporation;
  - (B) number of days in the school term as determined annually by the school corporation;
  - (C) total salary to be paid to the teacher during the school year; and
  - (D) number of salary payments to be made to the teacher during the school year.

(b) The contract may provide for the annual determination of the teacher's annual compensation by a local salary schedule, which is part of the contract. The salary schedule may be changed by the school corporation on or before May 1 of a year, with the changes effective the next school year. A teacher affected by the changes shall be furnished with printed copies of the changed schedule not later than thirty (30) days after the schedule's adoption.

(c) A contract under this section is also governed by the following statutes:

- (1) IC 20-28-9-1 through IC 20-28-9-6.
- (2) IC 20-28-9-9 through IC 20-28-9-11.
- (3) IC 20-28-9-13.
- (4) IC 20-28-9-14.

(d) A governing body shall provide the blank contract forms, carefully worded by the state superintendent, and have them signed. The contracts are public records open to inspection by the residents of each school corporation.

(e) An action may be brought on a contract that conforms with subsections (a)(1), (a)(2), and (d).

*As added by P.L.1-2005, SEC.12.*

### **IC 20-28-6-3**

#### **Contract forms; state superintendent's duties**

Sec. 3. The state superintendent shall do the following:

- (1) Prescribe the following forms:
  - (A) The uniform teacher's contract in the following alternate forms:
    - (i) The regular teacher's contract.
    - (ii) The temporary teacher's contract.
  - (B) The supplemental service teacher's contract.
- (2) Furnish each school corporation with the forms.
- (3) Require each school corporation to include in the school corporation's semiannual report on average daily attendance a statement that the school corporation is in compliance with IC 20-28-5-2, sections 4 through 7 of this chapter, IC 20-28-9-7, and IC 20-28-9-8.

*As added by P.L.1-2005, SEC.12.*

### **IC 20-28-6-4**

#### **Contract forms; applicable teachers**

Sec. 4. (a) This section does not apply to a teacher employed as a substitute teacher.

(b) A teacher employed in a public school must be employed on a uniform teacher's contract or a supplemental service teacher's contract.

*As added by P.L.1-2005, SEC.12.*

### **IC 20-28-6-5**

#### **Regular teacher's contract**

Sec. 5. The regular teacher's contract must be used statewide without amendment and must contain, in addition to the items in section 2(a)(3) of this chapter:

- (1) the manner of salary payment; and
- (2) any provisions relating to the government of the school that the state superintendent includes.

*As added by P.L.1-2005, SEC.12.*

### **IC 20-28-6-6**

#### **Temporary teacher's contract**

Sec. 6. (a) A temporary teacher's contract shall be used only for employing a teacher to serve in the absence of a teacher who has been granted a leave of absence by the school corporation for:

- (1) engaging in defense service or in service auxiliary to defense service;
- (2) professional study or advancement;
- (3) exchange teaching;
- (4) extended disability to which a licensed physician has attested; or
- (5) serving in the general assembly.

(b) The temporary teacher's contract must contain:

- (1) the provisions of the regular teacher's contract except those providing for continued tenure of position;
- (2) a blank space for the name of the teacher granted the leave, which may not be used on another temporary teacher's contract for the same leave of absence; and
- (3) an expiration date that:
  - (A) is the date of the return of the teacher on leave; and
  - (B) is not later than the end of the school year.

(c) If a teacher is employed on the temporary teacher's contract for at least sixty (60) days in a school year, the teacher may, on request, receive the service credit that the teacher would otherwise receive with regard to the Indiana state teachers' retirement fund. Additionally, the salary of that teacher may not be less than the state minimum salary under IC 20-28-9-1 and IC 20-28-9-2, or by a local salary schedule not less remunerative than the state minimum salary under IC 20-28-9-1 and IC 20-28-9-2.

*As added by P.L.1-2005, SEC.12.*

## **IC 20-28-6-7**

### **Supplemental service teacher's contract**

Sec. 7. (a) As used in this section, "teacher" includes an individual who:

- (1) holds a substitute teacher's license; and
- (2) provides instruction in a joint summer school program under IC 20-30-7-5.

(b) The supplemental service teacher's contract shall be used when a teacher provides professional service in evening school or summer school employment, except when a teacher or other individual is employed to supervise or conduct noncredit courses or activities.

(c) If a teacher serves more than one hundred twenty (120) days on a supplemental service teacher's contract in a school year, the following apply:

- (1) Sections 1, 2, 3, and 8 of this chapter.
- (2) IC 20-28-10-1 through IC 20-28-10-2.
- (3) IC 20-28-7-3 through IC 20-28-7-5.
- (4) IC 20-28-7-7 through IC 20-28-7-12.
- (5) IC 20-28-7-14.
- (6) IC 20-28-10-1 through IC 20-28-10-5.

(d) The salary of a teacher on a supplemental service contract

must equal the salary of a teacher on the regular salary schedule of the school corporation where the teacher will serve. Part-time service on the supplemental service contract is computed on the basis of six (6) hours as a full day of service.

*As added by P.L.1-2005, SEC.12.*

#### **IC 20-28-6-8**

##### **Indefinite contract; permanent teacher**

Sec. 8. (a) An individual who:

- (1) serves under contract as a teacher in a public school corporation for at least five (5) successive years; and
- (2) at any time enters into a teacher's contract for further service with the school corporation;

becomes, by entering into the contract described in subdivision (2), a permanent teacher of the school corporation. When a contract between the school corporation and a permanent teacher expires by the contract's terms, the contract is considered to continue indefinitely as an indefinite contract.

(b) An indefinite contract remains in force until the permanent teacher becomes seventy-one (71) years of age, unless the indefinite contract is:

- (1) replaced by a new contract signed by both parties; or
- (2) canceled as provided in IC 20-28-7.

*As added by P.L.1-2005, SEC.12.*

#### **IC 20-28-6-9**

##### **Laboratory school teacher; transfer to local school corporation; service credit; indefinite contract**

Sec. 9. (a) A teacher serving under a regular contract at a laboratory school operated under IC 20-12-14 who is offered and accepts a position in the local school corporation that is a party to the agreement with the university operating the laboratory school is entitled to:

- (1) transfer to the local school corporation any years served as a regular teacher at the laboratory school; and
- (2) receive credit for the years in meeting the five (5) year requirement for an indefinite contract contained in section 8 of this chapter.

(b) If the teacher accepting a position with the local school corporation has served as a regular teacher at the laboratory school for at least five (5) successive years, the teacher's contract with the local school corporation is an indefinite contract under section 8 of this chapter.

*As added by P.L.1-2005, SEC.12.*

#### **IC 20-28-6-10**

##### **Indefinite contract; semipermanent teacher**

Sec. 10. (a) An individual who:

- (1) serves under contract as a teacher in a public school corporation for two (2) successive years;

(2) at any time after serving two (2) successive years in the public school corporation enters into a teacher's contract for further service with the school corporation; and

(3) is not a permanent teacher under section 8 of this chapter; is a semipermanent teacher of the school corporation. When a contract between the school corporation and a semipermanent teacher expires by the contract's terms, the contract continues indefinitely as an indefinite contract for a semipermanent teacher.

(b) An indefinite contract for a semipermanent teacher remains in force until:

(1) the contract is replaced by a new contract signed by both parties;

(2) the contract is canceled as provided in IC 20-28-7; or

(3) the teacher becomes a permanent teacher under section 8 of this chapter.

*As added by P.L.1-2005, SEC.12.*